



Responsive Amendment to Application for Patent (09/891,757) on
"An Integrated System For Shellfish Production"
9/12/02 11:43 PM Russell P Davis (757)340-0651
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83643
Election
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9-19-02

Inventor Name:	Russell Patton Davis
Citizenship:	USA
Inventor Residence and Correspondence Address:	613 Mango Dr., Virginia Beach, VA 23452 http://www.Shellfish-Unlimited.com Russell_P_Davis@Shellfish-Unlimited.com
Invention: AN INTEGRATED SYSTEM FOR SHELLFISH PRODUCTION: Encompassing Hatchery, Nursery, Grow-out, Brood-stock Conditioning and Market Conditioning Phases; also Water Treatment, Food Supplement, Propulsion, Anchoring, Security, and Devices for the Integration of Neighborhood Values and Shellfish Production.	
Application filing Date:	JUNE 26, 2001 09/891,757
Art Unit: 3643	Examiner: Price, Richard Thomas, Jr. FAX 703-305-7687 V.703-308-2694/Sup. Peter Poon 308-2574
PROSECUTION HISTORY: Responsive Claim Amendment: Provisional Election & Claim Prototype FAXed Sept 10, 2002 Provisional Election & Claim Amendment & Traverse Mailed Sept 16, 2002 13	

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Mr. Tom Price: In response to the restriction requirement of 08/26/2003 #3807, the Applicant provisionally elects group IX in claim 9 with traverse via the following discourse and amendment with the additional **Generic & Linking Claim 0** to be inserted at the beginning of the Claims section near page 73.

Given due deference to PTO examination rules contained in MPEP 808.01, the other 39 claims in this invention cannot be subject to restriction requirement and divisional patent as the claimed features of the invented integrated system are not independent inventions but are connected by "*design, operation, and effect*". There is only one art unit to examine this patent application. Making a restriction requirement based upon the number of coherent benefits claimed is like prohibiting a patent because the invention offers too great an advance in utility to its industry. Certainly, ludism has not been authorized by patent law. Moreover, the examination research required is not a suitable basis for restriction as there is very little or no prior art to research on many of the claimed features. A query of prior patents in shellfish culture will have a very small result set compared to the search of most other industries.

Claims 1 through 39 are also link ~~in~~ CLAIM 0.

If this response is deemed non-responsive please grant an additional month to respond. Please bill as needed according to meet the required fees. Forms PTO-2038 & PTO/SB17 are enclosed.

No Attorney or Agent

No Government Agency has any ownership interest in this patent

DECLARATION & Small Entity Election:

I, Russell Patton Davis, am the sole inventor of this "INTEGRATED SYSTEM FOR SHELLFISH PRODUCTION: Encompassing Hatchery, Nursery, Grow-out, Brood-stock Conditioning and Market Conditioning Phases; also Water Treatment, Food Supplement, Propulsion, Anchoring Security, and Devices for the Integration of Neighborhood Values and Shellfish Production." The contents herein are true to the best of my knowledge and belief. The applicant is a small entity under the rules of the PTO.

Signed:

Dated:

Russell Davis
9-13-2002

Provisional Application:

JUNE 28, 2000 60/214,458
SEPT 08, 2000 60/232,079
OCT 02, 2000 60/237,033
DEC 01, 2000 60/250,389
FEB 02, 2001 60/263,820